

MINUTES OF THE SENATE TRANSPORTATION & PUBLIC  
UTILITIES & TECHNOLOGY STANDING COMMITTEE

Room 215, Senate Building

February 27, 2013

Members Present:

Sen. Kevin T. Van Tassell, Chair  
Sen. J. Stuart Adams Sen.  
Margaret Dayton Sen. Wayne A.  
Harper Sen. Karen Mayne

Staff Present: Mr. Leif Elder, Policy Analyst

Ms. Karen Allred, Committee Secretary

A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Van Tassel' called the meeting to order at 2:14 p.m. and announced that H.B. 103 will not be heard today.

Approval of Minutes

MOTION: Sen. Dayton moved to approve minutes of the February 25, 2013 meeting. The motion passed unanimously with Sen. Adams absent for the vote.

S.B. 196 License Plate Reader Amendments (*T. Weiler*)

Sen. Weiler introduced and explained the bill.

MOTION: Sen. Dayton moved to adopt 2nd Sub. S.B. 196. The motion passed unanimously with Sens. Mayne and Adams absent for the vote.

Spoke in favor of the bill: Dan Deuel, Legislative Liason, Weber 9/12 Project

Dalane England, Vice President, Eagle  
Forum Marina Lowe, Legal Counsel, ACLU  
of Utah Gary Williams, Ogden City Attorney

MOTION: Sen. Harper moved to amend the bill as follows:

*I. Page 3, Line 78:*

78 (c) may not be preserved for more than ~~{-six--months-}~~ seven days for private entities and nine months for public entities except pursuant to:

*2. Page 5, Line 127:*

127 A person who violates a provision under this part is guilty of a class ~~{-E-}~~ A misdemeanor.

SUBSTITUTE MOTION: Sen. Adams moved to amend the bill as follows:

*I. Page 3, Line 78:*

78 (c) may not be preserved for more than ~~I-six-months-I~~ 12 months except pursuant to:

*2. Page 5, Line 127:*

127 A person who violates a provision under this part is guilty of a class ~~{-C—}~~ A inisdemeanor.

The motion failed with Sens. Van Tassell and Adams voting in favor of the motion and Sens. Dayton and Harper voting in opposition.

The original motion by Sen. Harper passed unanimously with Sen. Mayne absent for the vote.

MOTION: Sen. Dayton moved to amend the bill as follows:

*I. Page 3, Lines 64 through 66:*

64 (2) An automatic license plate reader system may be used:

65 (a) by a law enforcement agency for the purpose of protecting public safety, conducting 66 criminal investigations, or ensuring compliance with local ~~{—}~~ and state ~~{—mid federal-}~~ laws•

The motion passed unanimously with Sen. Mayne absent for the vote.

MOTION: Sen. Harper moved to transmit 2nd Sub. S.B. 196 favorably as amended. The motion passed unanimously with Sen. Mayne absent for the vote.

S.B. 236 Uninsured and Underinsured Motorist Coverage Amendments (*L. Hillyard*)

Sen. Hillyard introduced and explained the bill assisted by Andrew Wright, Attorney.

Sen. Hillyard further clarified the bill.

MOTION: Sen. Dayton moved to transmit S.B. 236 favorably. The motion passed unanimously with Sen. Mayne absent for the vote.

2nd Sub. H.B. 100 Internet Privacy Amendments (*S. Barlow*)

Sen. Adams introduced the bill.

MOTION: Sen. Adams moved to adopt the following amendments:

*1. Page 4, Lines 97 through 102:*

97 (d) restricting or prohibiting an employee's access to certain websites while using an 98 electronic  
communications device supplied by, or paid for in whole or in part  
by the employer or while using  
99 an employer's network or resources, in accordance with state and federal law; or  
100 (e) monitoring, reviewing, accessing, or blocking electronic data stored on an  
101 electronic communications device supplied by, or paid for in whole or in part by  
the employer, or  
102 stored on an employer's network, in accordance with state and federal law.

*2. Page 5, Lines 141 through 143:*

141 (b) "Personal Internet account" does not include an account created, maintained, used 142 or  
accessed by a student or prospective student for education related communications or  
for {—a  
143 crime:Ilion-1 an educational purpose of the postsecondary institution.

*3. Page 6, Lines 151 through 152:*

151 (1) request a student or prospective student to disclose a username and password, or 152 a  
password that allows access to the student's or prospective student's personal

Internet account;

The motion passed unanimously with Sen. Mayne absent for the vote.

Sen. Adams further clarified the bill and answered questions from the committee.

Spoke in favor of the bill: Lauren Scholnik, Attorney, Utah Association for Justice  
Dan Fazzini, Citizen

MOTION: Sen. Harper moved to transmit 2nd Sub. H.B. 100 favorably as amended. The motion passed unanimously with Sen. Mayne absent for the vote.

MOTION: Sen. Adams moved to place 2nd Sub. H.B. 100 on the Consent Calendar. The motion passed unanimously with Sen. Mayne absent for the vote.

2nd Sub. H.B. 299 Bicycle Modifications (*Johnny Anderson*)

Rep. Anderson introduced and explained the bill.

Spoke in favor of the bill: Dan Fazzini, Cyclist

MOTION: Sen. Dayton moved to transmit 2nd Sub. H.B. 299 favorably. The motion passed unanimously with Sens. Mayne and Adams absent for the vote.

MOTION: Sen. Harper moved to place 2nd Sub. H.B. 299 on the Consent Calendar. The motion passed unanimously with Sens. Mayne and Adams absent for the vote.

MOTION: Sen. Dayton moved to adjourn. The motion passed unanimously with Sens. Mayne and Adams absent for the vote. Chair Van Tassell adjourned the meeting at 3:20 p.m.

en. Kevin T. Van Tassell, Committee Chair